

Appl. No. 10/632,082
Response dated: September 22, 2005
Reply to Office action of June 23, 2005

REMARKS

In response to the Office Action dated June 23, 2005, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-13 and 29-35 are pending in the present Application. Claims 1, 6, 12, 29, 33 and 34 have been amended, leaving Claims 1-13 and 29-35 for consideration upon entry of the present amendments and following remarks.

Support for the amendments to the claims can at least be found in the specification, the figures, and the claims as originally filed.

No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Claim Rejections Under 35 U.S.C. §102(b)

Claims 1-3, 6-9, 12, 13, 29, 30 and 33-35 are rejected under 35 U.S.C. §102(b) as being anticipated by Mazis, U.S. Patent No. 4,504,891 (hereinafter "Mazis").

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Amended independent Claims 1 and 29 recite, *inter alia*,

"a lamp assembly comprising a first lamp holder having a pipe-shape, a first end portion of the lamp being inserted into the pipe-shape to be fastened to the first lamp holder; and a first board that makes contact with the first lamp holder."

Mazis does not disclose a first lamp holder having a pipe-shape and a first end portion of the lamp being inserted into the pipe-shape to be fastened to the first lamp holder as recited in amended Claims 1 and 29. Thus, Mazis does not disclose all of the limitations of at least amended Claims 1 and 29.

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Mazis does not disclose the first lamp holder comprises rubber as recited in amended Claims 6 and 33.

Mazis does not disclose a second lamp holder having a pipe-shape and a second end portion of the lamp being inserted into the pipe-shape to be fastened to the second lamp holder, the second lamp holder comprising rubber as recited in amended Claim 12.

Mazis further does not disclose a second lamp holder and a second board having identical shape with the first lamp holder and the first board as recited in amended Claim 34.

Thus, Mazis does not teach all of the limitations of at least amended Claims 1, 6, 12, 29, 33 and 34. Accordingly, Mazis does not anticipate Claims 1, 6, 12, 29, 33 and 34. Applicants respectfully submit that Claims 1, 6, 12, 29, 33 and 34 are not further rejected or objected and are therefore allowable. Claims 2, 3, 8, 9, 13, 30 and 35 are also rejected under 35 U.S.C. §102(b) as being anticipated by Mazis. As Claims 2, 3, 8, 9, 13, 30 and 35 variously depend from allowable independent Claims 1 and 29, they are correspondingly allowable. Reconsideration and allowance of Claims 1-3, 6-9, 12, 13, 29, 30 and 33-35 is respectfully requested.

Claim Rejections Under 35 U.S.C. §103

Claims 4 and 10 are rejected under 35 U.S.C. §103(a) as being unpatentable over Mazis as applied to Claims 3 and 9 above, and Claim 31 is rejected over Mazis as applied to Claim 30 above, all further in view of Park, U.S. Patent 6,050,704 (hereinafter "Park"). Claims 5, 11 and 32 are rejected under 35 U.S.C. §103(a) as being unpatentable over Mazis.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Dependent claims inherit all of the limitations of the respective parent claim.

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Claims 4, 5, 10, 11, 31 and 32 variously depend from Claims 1 and 29. As discussed above, Mazis does not teach at least all of the limitations of at least amended Claims 1 and 29. Park also does not teach at least all of the limitations of amended Claims 1 and 29. Therefore, Park does not remedy the deficiencies of Mazis with respect to amended Claims 1 and 29. Accordingly, Mazis and Park do not teach all of the limitations of Claims 4, 5, 10, 11, 31 and 32.

Since Mazis and Park, alone or in combination, do not teach or suggest all of the limitations of at least Claims 4, 5, 10, 11, 31 and 32, *prima facie* obviousness does not exist regarding Claims 4, 5, 10, 11, 31 and 32 with respect to the Mazis and Park patents.

Additionally, since Mazis and Park fail to teach or suggest all of the limitations of Claims 4, 5, 10, 11, 31 and 32, clearly, one of ordinary skill at the time of Applicants' invention would not have a motivation to modify or combine the references, or a reasonable likelihood of success in forming the claimed invention by modifying or combining the references. Thus, here again, *prima facie* does not exist.

Thus, *prime facie* obviousness does not exist regarding Claims 4, 5, 10, 11, 31 and 32 with respect to the Mazis and Park patents. Applicants respectfully submit that Claims 4, 5, 10, 11, 31 and 32 are not further rejected or objected and are therefore allowable. Reconsideration and allowance of Claims 4, 5, 10, 11, 31 and 32 is respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

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In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP

By: Amy Bizon-Copp
Amy Bizon-Copp
Reg. No. 53,993
Confirmation No. 2199
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
PTO Customer No. 23413
Telephone (860) 286-2929
Facsimile (860) 286-0115

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